

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES Of AMERICA,

Plaintiff,

v.

Case No. 20-CR-137

DEVERY MOSES,

Defendant.

**PETITION TO ENTER GUILTY PLEA AND
REQUEST FOR PRESENTENCE INVESTIGATION**

The defendant Devery Moses, individually and by counsel, petitions this Court for leave to enter a plea of guilty. The defendant represents to the court as follows:

1. My full true name is Devery Thomas Moses, Jr.
2. I can read and write the English language.
3. I have received a copy of the Indictment. I have read it and discussed it with my attorney, and I understand the charges brought against me in this case. Specifically, I understand that I am charged in a one-count indictment alleging a violation of Title 18, United States Code, Section 2251(a). I understand that the government must prove each of the following elements:

- (1) JV-1 was under the age of eighteen years;
- (2) That I, for the purpose of producing a visual depiction of such conduct, attempted to employ, use, persuade, or coerce JV-1 to take part in sexually explicit conduct; and

(3) That I knew or had reason to know that such visual depiction would be mailed or transported across state lines or in foreign commerce, or the visual depiction was transmitted using materials that had been mailed, shipped, transported across state lines or in foreign commerce.

4. I wish to formally enter a plea of guilty to this charge.

5. As a factual basis for my guilty plea, I admit to the following facts:

From on or about April 14, 2019, through April 26, 2019, in Kenosha, Wisconsin, in the Eastern District of Wisconsin and elsewhere, I contacted JV-1 using social media platform, "Snapchat," to attempt to convince JV-1, who I knew was a minor, to take part in sexually explicit conduct and to send me photos of the sexually explicit conduct. JV-1 sent me sexually explicit videos and images, at my request. I knew or had reason to know that by using the internet and Snapchat, the visual depictions would be mailed or transported across state lines or in foreign commerce. After visual depictions were transmitted to me, I continued to persuade and coerce JV-1 to send more pictures. Before and after the period listed in the Indictment, I interacted with other minor females via the social media platform Snapchat. At times I posed as a minor male or female. I then enticed and encouraged each girl to send me sexually explicit photographs and videos. At times, I sent nude pictures of myself and a video of myself masturbating. If the girls stopped sending me sexually explicit videos, I would threaten them with exposing their pictures and videos.

6. I understand that:

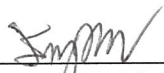
- a. The maximum statutory punishment for the charge against me is 30 years in prison, a fine of \$250,000, and at least 5 years of supervised release, and a maximum of a lifetime of supervised release.
- b. Upon conviction, I will have to pay, at the time of sentencing or as ordered by this Court, a special assessment of \$100.00.
- c. I may have to pay a fine.
- d. I may have to pay restitution.

7. I understand that I have the right to be represented by an attorney at every stage of this legal proceeding, and if I am financially unable to hire an attorney one will be appointed to represent me.

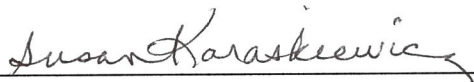
8. I know I have a right to plead not guilty, or to persist in a not guilty plea already made, and that if I choose to plead not guilty, the Constitution guarantees me:
- a. the right to a speedy and public trial by jury in the district in which I am charged;
 - b. the right to confront and cross-examine adverse witnesses;
 - c. the right to use the power and the process of the court to compel the production of any evidence, including the attendance of any witnesses in my favor, at my trial;
 - d. the right to assistance of counsel at every stage of the proceedings, including an appeal;
 - e. the right to remain silent, including the right not to be compelled to testify at my trial;
 - f. the right to testify in my own defense at the trial; and
 - g. a right to appeal my conviction and my sentence to a higher court even if I am financially unable to pay the cost of an appeal.
9. If my plea of guilty is accepted by the court, I understand that there will not be a trial of any kind and that by pleading guilty I waive the right to a trial.
10. No one has made any promises to me that I would receive a lighter sentence if I plead guilty, and no one has made any threats against me if I exercise my right to go to trial.

11. My attorney has advised me that if I am not a citizen of the United States a conviction in this case may result in my being deported from the United States.
12. I offer my plea of guilty freely and voluntarily and of my own accord.
13. I request a presentence investigation by the probation office of this Court to be commenced upon the acceptance of my guilty plea. I consent to the review of my presentence report by the Judge, by my attorney and myself, and by counsel for the government prior to sentencing by the court.

Dated: 4/20/21


Devery T. Moses, Jr.

Dated: 4/20/21


Susan L. Karaskiewicz

Respectfully submitted,

/s/ Susan L. Karaskiewicz
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